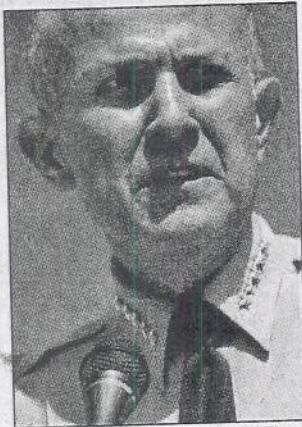


Sat 9-8-12

# Jail abuse panel blasts Baca, aides

Special investigators call the sheriff an out-of-touch leader who failed to hold staff accountable.

BY ROBERT FATURECHI  
AND JACK LEONARD



Los Angeles Times

**A SPOKESMAN** denied Sheriff Lee Baca was out of touch, saying he responded aggressively to reports of jail abuse.

said the majority of deputies were hard-working and ethical, they concluded that others preferred using force quickly during encounters with inmates, rather than as a last resort. Some deputies used strip searches to harass and humiliate inmates, they said. There was also evidence that deputies allowed inmates to attack one another and intentionally endangered high-security prisoners by putting them in the jails' general population and announcing their crimes to other inmates.

"These deputies are reflective of a disturbing mindset that promotes a lack of respect for inmates ... and a disdain for those supervisors who have endeavored to assert contrary principles," Douglas A. Axel, one of the investigators, told the commission.

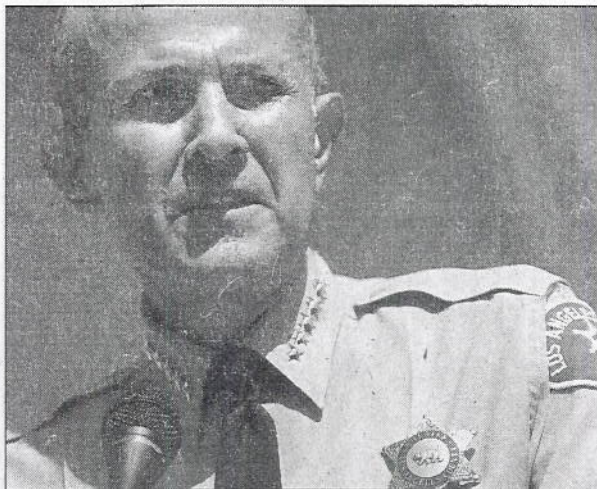
The investigators, who are prominent attorneys volunteering their services, presented their findings at a public hearing of the Citizens' Commission on Jail Vi-

[See Sheriff, A14]

Baca was described as an out-of-touch boss who was "insulated ... from force issues and other bad news" by his underlings. Members of his command staff, investigators said, tolerated a "code of silence" and failed to control and thoroughly investigate deputies' force against inmates. Some department leaders "had a lax attitude toward deputy aggression and discouraged deputy discipline," the investigators said.

There was no evidence, investigators said, that Baca had tried to hold members of his senior management team accountable for their failures after he learned of the problems late last year, even though he has publicly faulted them for not alerting him to abuse in the jails. Baca's second-in-command, Undersheriff Paul Tanaka, came under harsh criticism from investigators for helping promote the corrosive culture that contributed to many of the jails' problems.

Though investigators



BOB CHAMBERLIN Los Angeles Times

**SHERIFF LEE BACA** has come under criticism for problems in the Los Angeles County jail system.

## Behind the bars

Re "Jail abuse panel blasts Baca, aides," Sept. 8

I get the sense that Sheriff Lee Baca and Undersheriff Paul Tanaka trivialize the problems in their department and especially at the county's jails. With their attitudes, I have grave doubts that under their leadership the department will change no matter how many recommendations they receive.

One area that should be scrutinized is the department's hiring and retention of problem deputies. If you have deputies who lie about small incidents, can we trust those deputies to tell the truth about incidents of major misconduct? Can the public trust their testimonies to the jail abuse panel?

The department must show no tolerance for misconduct by deputies. It's painfully obvious that suspensions and mentoring are not the answer. Of the more than 100,000 L.A. County employees, sheriff's deputies should be held to the highest standards.

DENISE J. RYAN

Thankfully, this darkness is being brought to light by The Times. But Baca is responsible for plenty of good in the jails.

Baca formed the Education Based Incarceration Bureau, which is dedicated to reducing recidivism through inmate education. As a teacher providing high school education to inmates at the Pitchess Detention Center, I play a small part in a very positive change within our jails.

The department's MERIT program teaches life skills such as anger management and parenting. Inmates are given both academic and emotional support as they prepare to rejoin society.

Reform is needed. However, the process of improving inmates' chances of success outside jail is already taking place.

LYNNE WINNER



# JAILS

FROM PAGE A3

either Sept. 28 or Oct. 5.

Supervisor Gloria

Molina expressed concern they might fall on deaf ears.

as Garden's mayor — vetoed an attempt to break up ganglike "deputy cliques" in Men's Central Jail that were "highly resistant to supervision, committed acts of open insubordination, and sought to intimidate, bully and undermine supervisors whose policies they did not like."

Investigators also looked at jails in New York, Chicago and Florida, and found that deputies there received 16 to 18 weeks of training on custody duties, while deputies in Los Angeles got only one to three weeks of training.

They also noted the sheriffs in those metropolitan areas visited their jails frequently — as often as two or three times a week in Cook County, Chicago — while Baca visited his jails "approximately once a year at holidays."

The commission, whose members — several retired judges, a police chief and a civil rights leader — were appointed by the county Board of Supervisors, will issue recommendations

"I'm worried about the sheriff," she said. "Recommendations have been presented to him before, and he embraces them, but then they start falling apart, which has been discouraging for us along the way."

A registered nurse and adult education instructor who said her son was brutally beaten by deputies called for action.

Sandra Neal said her 28-year-old son was arrested in East Los Angeles last spring for fare evasion and briefly held in a county jail.

"He was beaten by the deputies, pepper sprayed, suffered multiple facial fractures, a nasal fracture, fractured teeth, fractured ribs, a collapsed lung that required chest tube placement because he was bleeding into his lungs, multiple contusions," she testified before the commission, almost in tears.

"He thought he was going to be left to die in his own blood on the floor," she added.

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## Sad 9-8-12 Daily Breeze Scathing jail report finds brutality, abuse

By Christina Villacorte  
Staff Writer

Investigators issued a scathing report Friday that described a culture of brutality in Los Angeles County jails and criticized the Sheriff's Department's top brass for either being ignorant of deputies abusing inmates or tacitly allowing it to happen.

A spokesman for Sheriff Lee Baca disputed the findings and insisted the jails have never been "out of control."

Teams of lawyers working pro bono for the Commission on Jail Violence testified Friday that the sheriff failed to rein in his own deputies.

"Los Angeles Sheriff's Department) personnel have used force against inmates when the force was either disproportionate to the threat posed, or when there was no threat at all," said attorney Maurice Suh.

"These have included force against an inmate who is already restrained,

or confined to a cell," he added. "Force has been used against an inmate simply because an inmate questioned a particular action or deputy decision — for example, requested to take a shower."

The last sentence prompted a vehement denial from Baca's spokesman, Steve Whitmore, who insisted, "That's absolutely not true."

"The sheriff has said he was unaware of some of the challenges in the jails but that doesn't mean the jails are out of control," he added. "They just never have been."

Investigators laid part of the blame on Baca's second-in-command, saying Undersheriff Paul Tanaka urged deputies to be "aggressive" by telling them to "function right on the edge of the line" and discouraged supervisors from investigating misconduct.

They also noted that Tanaka — who also serves

JAILS A17



BEATING SCANDAL  
Jail changes fall  
Breeze

short after year

**REPORT: Plan to prevent inmate abuse by sheriff's deputies still isn't fully in place, watchdog says.**

By Christina Villacorte  
Staff Writer

About a year since a scandal broke over deputies allegedly beating inmates in Los Angeles County jails, the Sheriff's Department has yet to finish implementing all of a watchdog agency's recommendations for addressing the violence, according to a report released Thursday.

The annual report by the Office of Independent Review listed about two dozen recommendations to prevent excessive use of force, improve investigations into such incidents and discipline deputies who commit abuse.

These recommendations include reporting incidents directly to the Office of the Sheriff and the OIR, interviewing all potential witnesses, including medical staff, chaplains and other

**REPORT A16**

**"I think some external pressures, and what we (at the OIR) have done, caused the sheriff himself to sort of pay attention."**

— MICHAEL GENNACO, OIR chief attorney

**REPORT**

FROM PAGE A1

civilians; not allowing sergeants accused of using or directing force to interview involved inmates; and preventing investigators from questioning inmates who are still in obvious pain or medical distress from alleged abuse.

"The majority of these recommendations have been adopted by the department. Others are still being discussed," the OIR said in the report.

Still, it added, "None (of the recommendations) has been flatly rejected."

At a news conference, OIR chief attorney Michael Gennaco noted many of the recommendations were first proposed years ago, long before the American Civil Liberties Union sued the Sheriff's Department over alleged abuses in the county jails, citing almost 80 sworn declarations by inmates and by civilians who claimed to have witnessed beatings.

Gennaco said he was glad to see Sheriff Lee Baca finally taking action.

"I do think there was a period of time in which ... there wasn't sufficient attention being paid to custody incidents internally," Gennaco said. "I think some external pressures, and what we (at the OIR) have done, caused the sheriff himself to sort of pay attention."

"It's almost like Christmas at the OIR in that things that we've recommended in the past suddenly seem to be getting traction now," he added.

The sheriff's spokesman, Steve Whitmore, blamed lack of funding for the delay in implementing some reforms.

"A lot of it does cost money, especially the cameras (to be installed in county jails)," he said.

Whitmore emphasized Baca did what could be done immediately, including creating an elite task force of investigators to look into the allegations of violence at the jails.

"What can be done without the funding is being done," Whitmore said. "As for those that need funding, we are working through that process to get the funding to get it done."

Gennaco said the dramatic increase in deputy firings last year indicates Baca is serious about disciplining the ranks.

In 2011, the department posted its highest number of firings in the past decade — 60. Before that, the annual numbers ranged from 25 to 45.

Among those fired were deputies accused of unlawful sexual conduct with an inmate, insurance fraud, drunken driving, misdemeanor assault, testing positive for drugs while on duty and stealing.

"Sixty out of 10,000 deputies doesn't seem that high, but it is a big number and it shows the department is taking seriously cases in which officers do abuse their authority both off duty and on duty," Gennaco said.

Whitmore said Baca is sending a message. "You don't want to ever see anybody get terminated, but when you have people getting terminated, does that message resonate throughout the department?" Whitmore said. "Does it mean you (deputies) better

shape up and follow and toe the line?"

The OIR report, which takes up nearly 200 pages, also noted that last year saw an increase in shootings where deputies killed or injured suspects.

In 2011, deputies were involved in 32 shootings where their bullets hit their targets. They killed 13 suspects, all but one of whom had a weapon that was recovered at the scene.

The number of "hit" shootings is up from 23 in 2010, and 27 in 2009. In the first half of 2012, there were 18 such incidents, which have left seven dead.

"While no conclusions can be drawn from the raw number of shootings, OIR is nonetheless concerned about the increase in shootings this year," the report said, adding the upward trend began around Thanksgiving. The average number of shootings per month in 2011 ranged from one to six.

In each of the months of January, February and May of 2012, however, the average rose to seven.

"OIR is both monitoring the situation closely and determining whether additional strategies should be devised by the department to address any systemic issues," the report said.

"However, given the small number of shootings compared to the overall contacts law enforcement has with the public, OIR finds it more useful to review the circumstances of each shooting rather than speculate to why the numbers fluctuate from year to year."

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